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Chairman: Mr. Enkhsaikhan ..... (Mongolia)

Contents

Agenda item 154: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (*continued*)

Agenda item 150: Report of the International Law Commission on the work of its fiftieth session (*continued*)

Agenda item 146: Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts (*continued*)

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The meeting was called to order at 4.10 p.m.

Agenda item 154: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (*continued*) (A/C.6/53/L.3/Rev.1)

1. **Mr. Daniell** (South Africa), speaking as coordinator of the informal consultations which had taken place over the past three weeks on the draft resolution entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions" (A/C.6/53/L.3/Rev.1), read out the main provisions of the draft resolution and said he hoped that it would be adopted without a vote.

2. **The Chairman** said he took it that the Committee wished to adopt draft resolution A/C.6/53/L.3/Rev.1 without a vote.

3. *It was so decided.*

4. **Mr. Herasymenko** (Ukraine) and **Mr. Tarabrin** (Russian Federation) thanked all the delegations which had taken part in the informal consultations for their flexibility and commended the coordinator of those consultations.

5. **The Chairman** said that the Committee had thus completed its consideration of agenda item 154.

Agenda item 150: Report of the International Law Commission on the work of its fiftieth session (*continued*) (A/C.6/53/L.16)

6. **Mr. Mochochoko** (Lesotho) said that, following informal consultations, it had been decided to add to the draft resolution a new paragraph, to be numbered 8 *bis*, which would read:

> "*Takes note* of paragraphs 562 and 563 of the report of the International Law Commission regarding the holding of split sessions as of 2000, requests the Commission to examine the advantages and disadvantages of such split sessions, and decides to return to this matter at its fifty-fourth session;".

7. **Ms. Flores Liera** (Mexico), underlining the importance of the role played by the International Law Commission in the codification and progressive development of international law, said that, while her delegation supported the draft resolution under consideration, it believed, with reference to paragraph 4 concerning international liability for injurious consequences arising out of acts not prohibited by international law, that liability itself was the most important of the "other issues arising out of the topic" which the Commission had to examine.

8. **Mr. Koffi** (Côte d'Ivoire), supported by **Mr. Seam** (France), drew attention to three editorial changes that needed to be made to the French text of the draft resolution under consideration.

9. **The Chairman** said he took it that the Committee wished to adopt draft resolution A/C.6/53/L.16, as orally revised in the case of the French text, without a vote.

10. *It was so decided.*

11. **Ms. Hallum** (New Zealand), supported by **Mr. Chuna** (Portugal), **Mr. Farell** (Ireland), **Mr. Nyman** (Sweden), **Ms. Sucharipa** (Austria), **Ms. Fernandez de Gurmendi** (Argentina), **Mr. Monagas** (Venezuela), **Ms. Telalian** (Greece), **Ms. Nury-Vargas** (Costa Rica) and **Mr. Verweij** (Netherlands), said that, in her view, the request in paragraph 4 of draft resolution A/C.6/53/L.16 that the International Law Commission should "examine other issues arising out of the topic" of international liability for injurious consequences arising out of acts not prohibited by international law was intended directly to include the question of liability, which lay at the heart of the matter. The work of the Commission would in no way be confined to prevention.

12. **The Chairman** said that the Committee had thus concluded its consideration of agenda item 150.

Agenda item 146: Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts (*continued*) (A/C.6/53/L.17)

13. **Mr. Nyman** (Sweden) said that since the introduction of draft resolution A/C.6/53/L.17 at an earlier meeting, Cameroon, Slovenia, South Africa and the United Kingdom had joined the sponsors. Also, he had been informed that the analytical report of the Secretary-General referred to in the penultimate preambular paragraph concerned "minimum humanitarian standards" and not "fundamental standards of humanity".

14. **The Chairman** said he took it that the Committee wished to adopt draft resolution A/C.6/53/L.17, as orally revised, without a vote.

15. *It was so decided.*

16. **Ms. Efrat-Smilg** (Israel) thanked the Swedish delegation for its efforts to achieve a consensus text. As to the Protocols themselves, Israel was unfortunately among those States which were unable to become parties to them.

Certain provisions, particularly article 1, paragraph 4, and article 44 of Protocol I, introduced elements which not only had no connection with international humanitarian law, but also violated the humanitarian foundations of that law. Israel also deplored the fact that the consideration of the question in various bodies was often politicized and anti-Israeli in tenor. Finally, Israel saw no justification whatever for the refusal to recognize the Israeli emblem of humanitarian protection, the red Star of David, nor for the refusal to allow the Israeli humanitarian aid organization, the Red Star of David Society, to participate fully in the International Red Cross.

17. **The Chairman** announced that the Committee had thus completed its consideration of agenda item 146.

The meeting rose at 4.50 p.m.